

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
MEMPHIS DIVISION

FILE *ule*
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ROBERT H. GRIFFIN
CLERK, U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS

PLESTER W. BOSHELL, by next friend
BRENDA G. BRITTON, by Power of
Attorney,

Plaintiffs

vs.

NO: 05-2048- B V

ALLEN R. KOBISKE and OZARK MOTOR
LINES, INC.,

Defendants.

RULE 26(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

JOINING PARTIES: **May 16, 2005**

INITIAL MOTIONS TO DISMISS: **April 15, 2005**

AMENDING PLEADINGS: **May 16, 2005**

COMPLETING ALL DISCOVERY: **November 15, 2005**

- (a) DOCUMENT PRODUCTION: **October 3, 2005**
- (b) DEPOSITIONS, INTERROGATORIES and REQUEST FOR
ADMISSIONS: **November 15, 2005**
- (c) EXPERT DISCLOSURE (Rule 26):

9

- (1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: **December 15, 2005**
- (2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION: **January 16, 2006**
- (3) EXPERT WITNESS DEPOSITIONS: **February 28, 2006**

FILING DISPOSITIVE MOTIONS (INCLUDING MOTIONS FOR SUMMARY JUDGMENT):
March 15, 2006

OTHER RELEVANT MATTERS: _____

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filing that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge. It is anticipated that the trial will last three (3) days.


The parties agree that this case will be appropriate for alternative dispute resolution at the appropriate time, and agree to submit this matter to mediation subsequent to the close of discovery, or at other time agreed upon by counsel for the parties.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

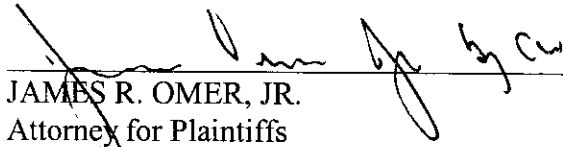
The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.



DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE
DATE: 4/21/05

APPROVED FOR ENTRY:



JAMES R. OMER, JR.

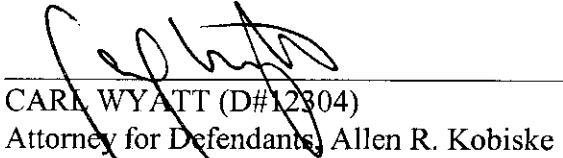
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CARL WYATT (D#12304)

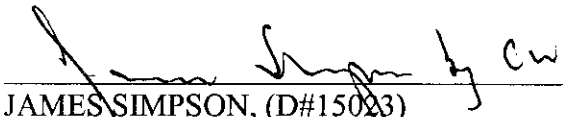
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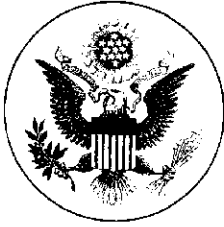
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Notice of Distribution

This notice confirms a copy of the document docketed as number 9 in case 2:05-CV-02048 was distributed by fax, mail, or direct printing on April 25, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT